

Below is a "HIPAAAlert" with several timely articles related to issues of interest:
Congressional Bills
Survey of some companies working toward compliance
HIPAA's implications on research

Please be sure to note that in some cases the information presented may be the opinion of the original author. We need to be sure to view it in the context of our own organizations and environment. In some cases you may need legal opinions and/or decision documentation when interpreting the rules.

Have a great day!!!
Ken

>>> <info@phoenixhealth.com> 12/05/01 10:38AM >>>

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H I P A A L E R T - l i t e December 5, 2001

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H I P A A n e w s

*** Transactions Delay Bills Pass Senate & House ***

Last night, the House passed its bill, HR 3323, to delay implementation of the transactions and code sets standards for one full year until October 16, 2003. One week ago today, the Senate passed without amendment and by unanimous consent its TCS delay bill, S 1684. Both bills state that nothing in the bills affect the implementation of the HIPAA privacy regulations required by April 14th, 2003.

The House bill was expected to go to conference committee to be reconciled with the very different Senate bill. However, according to Tom Gilligan, Executive Director of the Association For Electronic Health Care Transactions (AFEHCT), although it passed its own bill, S 1684, the Senate is expected to take HR 3323 as passed by the House and pass it by unanimous consent or attach it to some bill that will pass the Senate, thereby avoiding the need for a conference committee. The bill would then

require President Bush's signature before the provisions could go into effect.

The modified bill HR 3323 as it passed the House contains the following provisions:

For covered entities, it would delay the compliance date for the transaction standards and code set standards for one full year, until October 16th, 2003 if the covered entity or person submits to the Secretary by October 2002 a "plan" detailing how they will come into compliance by October 16th 2003.

Such a plan would have to include:

- * The extent to which the person is not in compliance; and the reasons why the person is not in compliance.
- * A budget, schedule, workplan, and implementation strategy for achieving compliance.
- * Whether the person plans to use a contractor or a vendor.
- * A testing period that begins no later than April 16th, 2003.

DHHS is charged with drafting a model form for use in drafting a plan for achieving compliance no later than March 31st, 2002.

If the person (covered entity) does not submit such a plan by October 2002, and it is not in compliance with the transaction standards, that person could be, at the discretion of the Secretary, subject to exclusion from Medicare. Provisions of section 1128(a) of the Social Security Act apply.

Read more, including the full text of the House & Senate bills:

<http://www.hipaadvisory.com/news/2001/1205delay.htm>

*** Most Insurers Expect TCS Compliance by June 2002 ***

According to a recent industry report, most health insurers expect to be compliant with the Transactions and Code Sets standards well before the October 2002 deadline. The report, "Health Claims Processing At The Dawn Of HIPAA," is a compilation of responses from a survey conducted this summer of nearly 10,000 health insurance professionals representing more than 200 companies. The survey found 14% of those polled are already compliant, while 10% expected to be compliant by Oct. 2001, a full year before the compliance deadline. 56% plan to be compliant by June 2002 and the remaining 20% said they would not be compliant until the deadline.

Read more: <http://www.hipaadvisory.com/news/index.htm#1129datacap>

*** Research Community Expresses HIPAA Concerns to Thompson ***

AHA News Now reports HIPAA will impede medical and public health research, and will slow medical progress, medical research leaders warn DHHS Secretary Tommy Thompson. In a letter sent earlier last month, to which AHA is a signatory, the research leaders explain that the medical privacy rule "needlessly" intrudes upon the Institutional Review Board system, which determines case-by-case the physical, procedural, and technical safeguards needed to protect patient privacy and confidentiality.

Read more: <http://www.hipaadvisory.com/news/index.htm#1129aha>

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H I P A A l a t e s t

NEW IN HIPAAtech:

UCLA Annual Internet Project - a long-term study with year-to-year result reports explores how computers, IT, and their users are affecting society.

<http://www.hipaadvisory.com/tech/index.htm#ucla>

ON THE CALENDAR:

Join us TUESDAY, DECEMBER 18 for
"HANDS-ON HIPAA: Transactions and Code Sets in Plain English"
an intensive 60-minute audio discussion, including presentation
slides, by Phoenix Health Systems' Principal Clyde Hewitt.

SIGN UP NOW! <http://www.hipaadvisory.com/ezcart/index.cfm>

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HIPAAalert-lite is our weekly version of HIPAAalert, Phoenix Health Systems' acclaimed monthly e-mail newsletter.

Our Other HIPAA resources:

Web site: <http://www.hipaadvisory.com>

HIPAAlive Discussion List: <http://www.hipaadvisory.com/live/>

HIPAAnotes Weekly Byte of HIPAA: <http://www.hipaadvisory.com/notes/>

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